

ASSEMBLY, No. 2948

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Assemblyman Webber

SYNOPSIS

Provides that no more than four of seven public members appointed to Highlands Water Protection and Planning Council may be of same political party.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2020)

1 AN ACT concerning the Highlands Water Protection and Planning
2 Council, and amending P.L.2004, c.120 (C.13:20-5).

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 5 of P.L.2004, c.120 (C.13:20-5) is amended to read
8 as follows:

9 5. a. The council shall consist of 15 voting members to be
10 appointed and qualified as follows:

11 (1) Eight residents of the counties of Bergen, Hunterdon,
12 Morris, Passaic, Somerset, Sussex, or Warren, appointed by the
13 Governor, with the advice and consent of the Senate, (a) no more
14 than four of whom shall be of the same political party, (b) of whom
15 five shall be municipal officials residing in the Highlands Region
16 and holding elective office at the time of appointment and three
17 shall be county officials holding elective office at the time of
18 appointment, and (c) among whom shall be (i) at least one resident
19 from each of the counties of Bergen, Hunterdon, Morris, Passaic,
20 Somerset, Sussex, and Warren, and (ii) two residents from the
21 county that has the largest population residing in the Highlands
22 Region, of whom no more than one shall be of the same political
23 party; and

24 (2) Seven residents of the State, no more than four of whom
25 shall be of the same political party, of whom five shall be appointed
26 by the Governor, with the advice and consent of the Senate, one
27 shall be appointed by the Governor upon the recommendation of the
28 President of the Senate, and one shall be appointed by the Governor
29 upon the recommendation of the Speaker of the General Assembly.
30 The members appointed pursuant to this paragraph shall have, to the
31 maximum extent practicable, expertise, knowledge, or experience in
32 water quality protection, natural resources protection,
33 environmental protection, agriculture, forestry, land use, or
34 economic development, and at least four of them shall be property
35 owners, business owners, or farmers in the Highlands Region or
36 residents or nonresidents of the Highlands Region who benefit from
37 or consume water from the Highlands Region.

38 b. (1) Council members shall serve for terms of five years;
39 provided, however, that of the members first appointed, five shall
40 serve a term of three years, five shall serve a term of four years, and
41 five shall serve a term of five years. The initial terms of the two
42 council members appointed by the Governor upon the
43 recommendation, respectively, of the President of the Senate and
44 the Speaker of the General Assembly shall be among those council
45 members assigned initial terms of five years pursuant to this

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 paragraph.

2 (2) Each member shall serve for the term of the appointment and
3 until a successor shall have been appointed and qualified. Any
4 vacancy shall be filled in the same manner as the original
5 appointment for the unexpired term only.

6 c. Any member of the council may be removed by the
7 Governor, for cause, after a public hearing.

8 d. Each member of the council, before entering upon the
9 member's duties, shall take and subscribe an oath to perform the
10 duties of the office faithfully, impartially, and justly to the best of
11 the member's ability, in addition to any oath that may be required
12 by R.S.41:1-1 et seq. A record of the oath shall be filed in the
13 Office of the Secretary of State.

14 e. The members of the council shall serve without
15 compensation, but the council may, within the limits of funds
16 appropriated or otherwise made available for such purposes,
17 reimburse its members for necessary expenses incurred in the
18 discharge of their official duties.

19 f. The powers of the council shall be vested in the members
20 thereof in office. A majority of the total authorized membership of
21 the council shall constitute a quorum and no action may be taken by
22 the council except upon the affirmative vote of a majority of the
23 total authorized membership of the council. No alternate or
24 designee of any council member shall exercise any power to vote on
25 any matter pending before the council.

26 g. The Governor shall designate one of the members of the
27 council as chairperson. The council shall appoint an executive
28 director, who shall be the chief administrative officer thereof. The
29 executive director shall serve at the pleasure of the council, and
30 shall be a person qualified by training and experience to perform
31 the duties of the office.

32 h. The members and staff of the council shall be subject to the
33 "New Jersey Conflicts of Interest Law," P.L.1971, c.182
34 (C.52:13D-12 et seq.).

35 i. The council shall be subject to the provisions of the "Open
36 Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.).

37 j. A true copy of the minutes of every meeting of the council
38 shall be prepared and forthwith delivered to the Governor. No
39 action taken at a meeting by the council shall have force or effect
40 until 10 days, exclusive of Saturdays, Sundays, and public holidays,
41 after a copy of the minutes shall have been so delivered; provided,
42 however, that no action taken with respect to the adoption of the
43 regional master plan, or any portion or revision thereof, shall have
44 force or effect until 30 days, exclusive of Saturdays, Sundays, and
45 public holidays, after a copy of the minutes shall have been so
46 delivered. If, in the 10-day period, or 30-day period, as the case
47 may be, the Governor returns the copy of the minutes with a veto of

1 any action taken by the council at the meeting, the action shall be
2 null and void and of no force and effect.
3 (cf: P.L.2004, c.120, s.5)

4

5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill provides that of the seven residents of the State
11 appointed to the Highlands Water Protection and Planning Council
12 by the Governor, not more than four of these members may be of
13 the same political party.